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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,035	01/29/2004	Darron Jack Stepanich	50037.210US01	7248
27488 7590 10/14/2008 MERCHANT & GOULD (MICROSOFT) P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903				
EXAMINER				
SAEED, USMAAN				
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2166				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/768,035

Applicant(s)

STEPANICH ET AL.

Examiner

USMAAN SAEED

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/07/2008 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Padawer et al. (Padawer hereinafter)** (U.S. PG Pub No. 2002/0052196) in view of **Grossman et al. (Grossman hereinafter)** (U.S PG Pub No. 2004/0119760).

With respect to claim 1, **Padawer** teaches **a method for providing contacts to a device, comprising:**

“obtaining a search input from an input field to locate a contact; wherein the search input is a single character” as FIG. 2B illustrates the display 200B after the user has entered a "5" in the input field 201B. The focus frame 203B remains over the input field 201B thus allowing this input. In response, the filtered output field 202B then presents an appropriate speed dial entry corresponding to the single digit (**Padawer Paragraph 0053**).

“accessing each of the contacts within at least three contact lists from the device wherein accessing contacts from the device includes accessing a contacts database and a call log” as in this description, database A, B and C will often be referred to as a contacts, speed dial, and call log database, respectively. Also, although three databases are shown, the present invention may work with other numbers of databases as well (**Padawer Paragraph 0066**).

“wherein the contact lists are automatically accessed without obtaining user input” as for allowing a user to enter a request, such as dialing input, without

having to specify, or otherwise commit to, a particular request method (**Padawer Abstract**).

“concatenating each of the contacts from each of the accessed contact lists to create a single concatenated list of contacts” as (**Padawer Figure 3**).

“searching the concatenated list for any information within each of the accessed contacts to locate relevant contacts that include the search input” as the filter 313 then filters the first concatenator output 402 using the request data entered in the input field 201 as the filtering parameter. In one embodiment, the filter 313 checks for a match against any parameter that the user may intend for the filter to match against. For example, when entering dialing input into input field 201, the user may intend to enter a telephone number with the area code first, enter a telephone number without the area code, enter the first name of a desired callee, enter the last name of a desired callee, or the like. The filter 313 filters against all these parameters (**Padawer Paragraph 0077**).

“unifying the relevant contacts and providing the unified contacts” as the response data may originate from a variety of different databases having different data formats. Once the various response entries are received back from the filter, the entries are passed to a data interface that then formats the entries to appear homogeneous despite being from different databases. The homogeneous data structures are then used to render the display thus resulting in a unified appearance to the user (**Padawer Paragraph 0019-0020**).

“monitoring the input field to determine when a new search input is entered and automatically updating the contacts in response to the new search input” as (Padawer Figures 2A-2F).

Padawer teaches the elements of claim 1 as noted above but does not explicitly disclose **“wherein the contact lists are automatically selected based on what application received the search input,” “wherein the information within each contact that is searched includes an email address” and “contacting a user from the provided unified contacts using any of the available contact methods available to that user; wherein the available contact methods include telephone, email, short messaging service (SMS) and instant messaging (IM).”**

However, **Grossman** teaches **“wherein the contact lists are automatically selected based on what application received the search input” as (Grossman Paragraph 0049).**

“wherein the information within each contact that is searched includes an email address” as (Grossman Figure 4).

“contacting a user from the provided unified contacts using any of the available contact methods available to that user; wherein the available contact methods include telephone, email, short messaging service (SMS) and instant messaging (IM)” as (Grossman Paragraphs 0050 and 0063).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references because **Grossman's** teachings would have allowed **Padawer** to provide an efficient contact

searching system by providing a plurality of different contacts to be aggregated from numerous data stores into a single contact management system.

With respect to claim 2, **Padawer** teaches “**removing duplicate contacts from the concatenated list**” as (**Padawer** Figures 4A-4D).

With respect to claim 3, **Padawer** teaches “**creating a non-duplicate version of at least one of three contact lists by removing contacts from the at least one of the contact lists that appear in one of the other at least three contact lists that is accessed**” as (**Padawer** Figure 4A-4D).

With respect to claim 4, **Padawer** teaches “**wherein accessing contacts from the device further comprises accessing all of the contacts stored on the device**” as (**Padawer** Paragraph 0072).

With respect to claim 5, **Padawer** teaches “**wherein obtaining the search input may include obtaining at least one input selected from a character, number, and icon**” as (**Padawer** Figures 2A-2F).

With respect to claim 6, **Padawer** teaches “**wherein searching the information within each of the accessed contacts further comprises searching a portion of a field within the contact for the search input**” as (**Padawer** Figures 2A-2F).

With respect to claim 7, **Padawer** teaches “**searching a first database for a first portion of relevant contacts, the first portion containing one or more entries from the first database; searching a second database for a second portion of relevant contacts; wherein at least some of the entries in the first portion have a different data structure format than at least some of the entries in the second portion**” as (**Padawer** Figure 4A-4D).

With respect to claim 8, **Padawer** teaches “**wherein accessing contacts from the device further comprises accessing tree or more of the following: a contacts database, a speed dial database, a call logs database, and a SIM contacts database**” as in this description, database A, B and C will often be referred to as a contacts, speed dial, and call log database, respectively. Also, although three databases are shown, the present invention may work with other numbers of databases as well (**Padawer** Paragraph 0066).

With respect to claim 9, **Padawer** teaches “**the method of claim 2, wherein unifying the relevant contacts further comprises removing duplicates**” as (**Padawer** Figures 4A-4D).

Groups of claims 10-17 and 18-22 are essentially the same as group of claim 1-9, except they set forth the claimed invention as a computer storage medium and a system, and are rejected for the same reasons as applied hereinabove.

Response to Arguments

Applicant's arguments filed on 08/07/2008 have been considered but are moot in view of the new ground(s) of rejection.

In these arguments applicant relies on the amended claims and not the original ones. See above rejections for response to the arguments.

Examiner has combined a secondary reference Grossman et al. to address the amended limitations.

Claims must be given the broadest reasonable interpretation during examination and limitations appearing in the specification but not recited in the claim are not read into the claim (See M.P.E.P. 2111 [R-I]).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Usmaan Saeed whose telephone number is (571)272-4046. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571)272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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US
October 7, 2008

/Hosain T Alam/

Supervisory Patent Examiner, Art Unit 2166